

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PATRICIA IRBY (on Behalf of the Children)

Of Stephen S. Helvenston, deceased),)

and)

JUNE BATALONA)

(Widow of Wesley K. Batalona),)

Petitioners)

v.)

BLACKWATER SECURITY)

CONSULTING, LLC,)

FIDELITY & CASUALTY COMPANY OF)

NEW YORK/CNA INTERNATIONAL,)

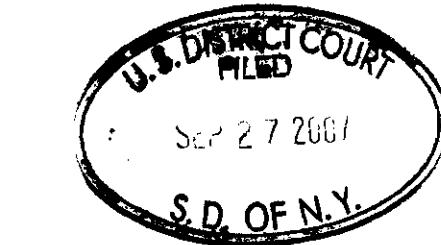
and)

DIRECTOR, OFFICE OF WORKERS')

COMPENSATION PROGRAMS, UNITED)

STATES DEPARTMENT OF LABOR,)

Respondents.)



No. 07-CV-5939

MOTION TO ADMIT COUNSEL PRO HAC VICE

Pursuant to Rule 1.3(c) of the Local Rules of the United States

District Courts for the Southern and Eastern Districts of New York, I,

Susan B. Jacobs, a member in good standing of the bar of this Court, hereby

move for an Order allowing the admission pro hac vice of:

Matthew W. Boyle
United States Department of Labor
Office of the Solicitor
200 Constitution Avenue, NW, Rm N-2117
Washington, DC 20210
Ph - 202-693-5658
Fax - 202-693-5687

Mr. Boyle is a member in good standing of the Bar of the State of Maryland, as well as the United States Courts of Appeals for the Second, Fourth, Fifth, and Ninth Circuits. There are no pending disciplinary proceedings against Mr. Boyle in any State or Federal court.

DATED: September 26, 2007
New York, New York

Respectfully Submitted,



SUSAN B. JACOBS (SBJ 8388)
Senior Trial Attorney

U.S. Department of Labor
Office of the Solicitor
201 Varick Street, Room 983
New York, NY 10014
Tel. 212-337-2116

**Court of Appeals
of Maryland
Annapolis, MD**



CERTIFICATE OF GOOD STANDING

STATE OF MARYLAND, ss:

I, Alexander L. Cummings, Clerk of the Court of Appeals of Maryland, do hereby certify that on the twelfth day of December, 1995,

Matthew Wade Boyle

having first taken and subscribed the oath prescribed by the Constitution and Laws of this State, was admitted as an attorney of said Court, is now in good standing, and as such is entitled to practice law in any of the Courts of said State, subject to the Rules of Court.

In Testimony Whereof, I have hereunto set my hand as Clerk, and affixed the Seal of the Court of Appeals of Maryland, this twentieth day of September, 2007.

Alexander L. Cummings
Clerk of the Court of Appeals of Maryland

UNITED STATES DISTRICT COURT
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в.)

BLACKWATER SECURITY)

CONSULTING, LLC,)

FIDELITY & CASUALTY COMPANY OF
NEW YORK/CNA INTERNATIONAL.)

and)

DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED STATES DEPARTMENT OF LABOR.

Respondents.

No. 07-CV-5939

**AFFIDAVIT OF SUSAN B. JACOBS IN SUPPORT OF
MOTION TO ADMIT COUNSEL PRO HAC VICE**

Susan B. Jacobs, being duly sworn, hereby deposes and says as follows:

1. I am an attorney in the Office of the Solicitor, United States Department of Labor, counsel for the federal respondent in the above-

captioned case. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the motion to admit Matthew W. Boyle as counsel pro hac vice to represent the federal respondent in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in June 1995. I am also admitted to the bar of the United States District for the Southern District of New York, and am in good standing with this Court.

3. I have been acquainted with Mr. Boyle for approximately two months.

4. Mr. Boyle is an attorney in the Office of the Solicitor, United States Department of Labor in Washington, D.C. He is admitted to the bar of the State of Maryland, and is also admitted to practice before the United States Courts of Appeals for the Second, Fourth, Fifth and Ninth Circuits, and is in good standing with those courts.

5. I have found Mr. Boyle to be a skilled attorney and a person of integrity. He is experienced in federal practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move the admission of Matthew W. Boyle, pro hac vice.

7. I respectfully submit a proposed order granting the admission of Matthew W. Boyle., pro hac vice, submitted herewith.

WHEREFORE, it is respectfully requested that the motion to admit Matthew W. Boyle, pro hac vice, to represent the federal respondent in the above-titled matter, be granted.

Susan Jacobs
SUSAN B. JACOBS
(SBJ 8388)

Sworn to me this
24th day of September, 2007

Diane C Sherman
Notary Public

DIANE C. SHERMAN
Notary Public, State of New York
No. 24-4983606
Qualified in Kings County
Commission Expires July 1, ~~2008~~ 2011

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DIRECTOR, OFFICE OF WORKERS')

COMPENSATION PROGRAMS, UNITED)

STATES DEPARTMENT OF LABOR,)

)

Respondents.)

No. 07-CV-5939

**ORDER FOR ADMISSION
PRO HAC VICE ON WRITTEN MOTION**

Upon the motion of Susan B. Jacobs, attorney for the federal
respondent, and her affidavit in support,

IT IS HEREBY ORDERED that

Matthew W. Boyle
United State Department of Labor

Office of the Solicitor
200 Constitution Ave., NW, Rm N-2117
Washington, DC 20210
PH – 202-693-5658
FX – 202-693-5687
boyle.matthew@dol.gov

is admitted to practice pro hac vice for the Director, Office of Workers' Compensation Programs, in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including rules governing discipline of attorneys. If this action is assigned to the ECF system, counsel shall immediately apply for an ECF password as nysd.uscourts.gov. Because Mr. Boyle is an attorney for an agency of the federal government, the pro hac vice fee is waived.

Dated:
New York, NY

United States District Judge

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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BLACKWATER SECURITY)
CONSULTING, LLC,)
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FIDELITY & CASUALTY COMPANY OF) No. 07-CV-5939
NEW YORK/CNA INTERNATIONAL,)
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and)
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DIRECTOR, OFFICE OF WORKERS')
COMPENSATION PROGRAMS, UNITED)
STATES DEPARTMENT OF LABOR,)
)
Respondents.)

DECLARATION PURSUANT TO 28 U.S.C. §1746

SUSAN B. JACOBS, says:

That on September 26, 2007, I served a copy of the within Motion to Admit Counsel Pro Hac Vice, Affidavit of Susan B. Jacobs in Support of that Motion, and proposed Order to the following by enclosing a true copy of

same in securely sealed United States Government postage-free, franked envelopes addressed as follows:

Keith L. Flicker, Esq.
Flicker, Garelick & Assoc.
45 Broadway
New York, NY 10006
Attorneys for Employer/Carrier

Marc P. Miles, Esq.
Callahan & Blaine, APLC
3 Hutton Centre Dr., Ste 900
Santa Ana, CA 92707
Attorneys for Claimants

James P. Rau, Esq.
29 Broadway, Suite 1710
New York, NY 10006-3280
Attorneys for Claimants

Executed on September 26, 2007



SUSAN B. JACOBS